

PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted with Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	5/1252
First Named Inventor	Frank HIMMELSBACH
COMPLETE IF KNOWN	
Application Number	09 / 914,323
Filing Date	08/24/2001
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BICYCLIC HETEROCYCLES, PHARMACEUTICAL COMPOSITIONS CONTAINING THESE COMPOUNDS, THEIR USE AND PROCESSES FOR PREPARING THEM

(Title of the Invention)

the specification of which

 is attached hereto

OR

was filed on (MM/DD/YYYY) **08/24/2001** as United States Application Number or PCT International

Application Number **09/914,323** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 366(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
DE 199 08 567.6	Germany	02/27/1999	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DE 199 11 366.1	Germany	03/15/1999	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DE 199 28 306.0	Germany	06/21/1999	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DE 199 54 816.1	Germany	11/13/1999	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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Telefax

Ms. Tammy Holland
United States Patent and Trademark Office
703/305-5483
703/305-3230

Boehringer Ingelheim
Corporation

Page 1 of 5

February 06, 2002

Re: USSN 09/914,323; Atty. Docket No. 5/1252

Dear Ms. Holland:

Enclosed herewith please find a copy of the second Declaration for Utility or Design Patent Application which was inadvertently not included in the filing of the Missing Parts on November 9, 2001.

If you need any further information, please call me at 203/798-4791.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra J. Moline".

Sandra J. Moline
Administrative Assistant to
Alan R. Stempel

Enclosure

Sandra J. Moline
Telephone 203/798-4791
Telefax 203/798-4408
E-Mail
smoline@rdg.boehringer-ingelheim.com

900 Ridgebury Rd/P.O. Box 368
Ridgefield, CT 06877-0368

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DECLARATION — Utility or D sign Pat nt Application

Direct all correspondence to: Customer Number or Bar Code Label

28505

OR

Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR : A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Frank

Family Name
or Surname HIMMELSBACH

Inventor's Signature

F. M. M.

Sept. 27, 01
Date

Residence: City Mittelbiberach

State

Germany
Country

DE
Citizenship

Mailing Address Ahornweg 16

DE

City Mittelbiberach

State

ZIP D-88441

Country Germany

NAME OF SECOND INVENTOR:

A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Elke

Family Name
or Surname LANGKOPF

Inventor's Signature

E. Langkopf

Oct. 25, 01
Date

Residence: City Warthausen

State

Country Germany

DE
Citizenship

Mailing Address Schloss 3

DE

City Warthausen

State

ZIP D-88447

Country Germany

Additional Inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box →

PTO/SB/02A (11-00)

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DECLARATION**ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 1 of 2**

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) <i>Birgit</i>		Family Name or Surname <i>JUNG</i>		
Inventor's Signature <i>Birgit</i>			Date <i>Feb 1 27, 01</i>	
Residence: City <u>Schwabenheim</u>	State	Country	Germany	Citizenship DE
Mailing Address <u>Muehlstrasse 23</u>				
Mailing Address <u>DEX</u>				
City <u>Schwabenheim</u>	State	ZIP	D-55270	Country Germany
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) <i>Thomas</i>		Family Name or Surname <i>METZ</i>		
Inventor's Signature <i>Thomas</i>			Date	
Residence: City <u>Vienna</u>	State	Country	Austria	Citizenship DE
Mailing Address <u>Schiffmuehlengasse 94/7/1</u>				
Mailing Address <u>AUX</u>				
City <u>Vienna</u>	State	ZIP	1220	Country Austria
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) <i>Flavio</i>		Family Name or Surname <i>SOLCA</i>		
Inventor's Signature <i>Flavio</i>			Date	
Residence: City <u>Vienna</u>	State	Country	Austria	Citizenship CH
Mailing Address <u>Fimbringergasse 1/9</u>				
Mailing Address <u>AUX</u>				
City <u>Vienna</u>	State	ZIP	1230	Country Austria

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Please type a plus sign (+) inside this box → +

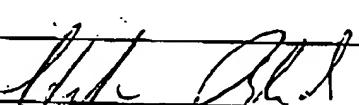
PTO/SB/02A (11-00)

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DECLARATION
**ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 2 of 2**

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) <u>Stefan</u>		Family Name or Surname <u>BLECH</u>		
Inventor's Signature 				Date <u>Sept 27, 01</u>
Residence: City <u>Warthausen</u>	State	Country	<u>Germany</u>	Citizenship <u>DE</u>
Mailing Address <u>Muellerweg 9</u>				
Mailing Address <u>DEK</u>				
City <u>Warthausen</u>	State	ZIP	<u>D-88447</u>	Country <u>Germany</u>
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
Inventor's Signature				Date
Residence: City	State	Country	Citizenship	
Mailing Address				
Mailing Address				
City	State	ZIP	Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
Inventor's Signature				Date
Residence: City	State	Country	Citizenship	
Mailing Address				
Mailing Address				
City	State	ZIP	Country	

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Case No. 5/1252